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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/767,603	01/28/2004	Kenneth J. Rieck	D/A4007	5203
7590	01/23/2006		EXAMINER	GLEITZ, RYAN M
Xerox Corporation Patent Documentation Center Xerox Square, 20th Floor 100 Clinton Ave. S. Rochester, NY 14644			ART UNIT	PAPER NUMBER
			2852	
			DATE MAILED: 01/23/2006	

Please find below and/or attached an Office communication concerning this application or proceeding.

BK

Office Action Summary	Application No.	Applicant(s)	
	10/767,603	RIECK ET AL.	
	Examiner	Art Unit	
	Ryan Gleitz	2852	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 21 November 2005.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-10 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____. | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites “a first frame. . . having a height suitable for an operator work surface” which limits the claim only with respect to the height of the first frame. However, claim 1 later recites, “a second frame mounted on said top of said first frame adjoining said operator work surface”, which appears to affirmatively recite the operator work surface.

If Applicant intends to limit the claim to include an operator work surface, the phrase “a height suitable for” should be removed.

If Applicant intends only to limit the claim to include a first frame having a height suitable for an operator work surface, the phrase “adjoining said operator word surface” (lines 8-9) should be removed.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this

subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 2, 6, and 10 are rejected under 35 U.S.C. 102(e) as being anticipated by Suzuki (US 6,819,891).

Suzuki discloses in figure 3 functional components including image forming apparatus (216), controllers (402, 403), and machine environment conditioning devices (226). A first frame (200) stands on a floor on casters, as shown by figure 3, and contains some of the functional components and having a height suitable for an operator work surface located at a top of the first frame (200). The height is approximately 1 meter. See col. 5, line 8.

A second frame (201) is mounted on the top of the first frame (200) adjoining the operator work surface. For example, an operator work surface is shown in figure 1 at the rightmost portion of the drawing. The frames (201, 200) define a foot-print reducing tower containing the machine environment conditioning devices (226), thereby preventing the addition of protrusion to a rear of the first frame of the machine, and thus reducing the installed foot print of the machine.

Regarding claims 2 and 6, the tower supports an attached user interface (400), as shown in figure 1, that pivots up and down, as shown by figure 6.

Regarding claim 10, figure 1 shows that the second frame (201) is built to back of the top of the first frame (200).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are

such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki (US 6,819,891) in view of Kuno (JP 59-052259).

Suzuki discloses the machine above, but does not disclose an audible speaker assembly or a machine's warning light.

However, Kuno disclose a copy machine including a speaker (13) and light emitting diodes to display a warning that an abnormality has occurred. See abstract, lines 13-15.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the image producing machine of Suzuki with the speaker and warning lights taught by Kuno to speed up repair because the kind of abnormality is identified without a look at a copy machine and its occurrence position is displaced on the LED's. Abstract, lines 1-4.

Claims 5 and 7-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki (US 6,819,891) in view of Stemmle (US 5,878,320).

Suzuki discloses the machine above including fusing apparatus (226) and toner supply apparatus and developing units (219-222), but do not disclose a photoreceptor belt, another machine environment conditioning device, a floor standing media holding and supply module, and a floor standing finishing module.

However, Stemmle discloses a photoreceptor belt (16), an environment conditioning device as the fans shown on fixing unit (23) in figure 2, a floor standing media holding and supply module (30), and a floor standing finishing module (40).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the image producing machine of Suzuki with the photoreceptor belt as an equivalent means to carry a latent image as a photoreceptor drum, with the fan to cool the fixing unit (23) and release exhaust from the machine, with a floor standing media holding and supply module to provide a high quantity of sheets to the image producing machine, and with the floor standing finishing module to provide collating and other functions of document processing.

Response to Arguments

Applicant's arguments with respect to claim 1 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan Gleitz whose telephone number is (571) 272-2134. The examiner can normally be reached on Monday-Friday between 9:00AM and 6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Arthur Grimley can be reached on (571) 272-2136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


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